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C O N F I D E N T I A L SECTION 01 OF 03 RABAT 002032

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SUBJECT: SAHRAWI PRISONERS: THE MFA RESPONDS

REF: RABAT 2015 AND PREVIOUS

Classified By: Pol/C Timothy Lenderking for Reasons 1.4 (b) and (d)

1. (C) Summary and Comment: On the evening of September 23, the MFA passed us the following document concerning the status of the Sahrawi prisoners discussed reftel. The document is entitled "Elements of Information Relating to the Campaign Orchestrated by Algeria and the Polisario on the Conditions of Detention in the Prison of Laayoune." It is the first official document we have received from the GOM concerning the prisoners and the first sign of tangible engagement by the MFA in the issue. The document, unfortunately, offers only a modicum of factual information -- the kind of details the international community is seeking about the status of the prisoners and how the Moroccans would counter the charges being made -- before deteriorating into a diatribe against the Polisario and Algeria for whipping up a propaganda campaign against Morocco. While we probably the first mission to receive this document, it was distributed to a dozen or so donor embassies at an MFA briefing on Western Sahara issues on September 26 (septel). The version provided to the US, however, contains paragraphs with additional criticism of Algeria and the Polisario not found in the document provided to other embassies on September 26. End Summary and Comment.

2. (SBU) Begin document (MFA translation):

Similar to other penitentiary institutions of the Kingdom, the prison of Laayoune is indeed experiencing overpopulation due to the number of prisoners being presently held in detention which exceeds the normal capacity of the prison.

This prison, designed for 400 detainees, actually houses 600 prisoners as follows:

- 10 prisoners guilty of murder
- 80 prisoners guilty of theft;
- 30 prisoners guilty of rape;
- 190 prisoners guilty of drug trafficking;
- 80 prisoners guilty of complicity in illegal immigration;
- 190 prisoners detained for various offenses.

To this figure we need to add the approximately 20 detainees being questioned following the events which took place in the city of Laayoune, namely for having perpetrated acts of violence and vandalism (throwing stones and Molotov cocktails at security forces, attacking police posts, burning the national flag, destroying public property, etc.)

The following clarifications are appropriate in relation to the 37 prisoners whom the Polisario claims are political prisoners:

- 1 person is guilty of having caused the death of another with no relation to the events of Laayoune (Hassan Mekki),
- 1 person has already been released after having served his sentence (Mohamed Bahia Errachdi),
- 20 detainees have already been found guilty in relation to the incidents of Laayoune,
- 15 detainees have been referred to the examining magistrate.

This situation, about which reports have been produced by national NGO's such as the Consultative Council of Human Rights (CCDH), the Moroccan Human Rights Association (AMDH) and the Moroccan Human Rights Organization (OMDH), (embassy comment: CCDH is the only organization to date that has actually visited the prisoners since the hunger strikes began) has already been brought to the attention of the penitentiary administration, which has begun to take measures designed to improve the conditions of detention of prisoners, in conformity with generally observed norms and standards.

Moreover, anxious to improve the conditions of detention in all the penitentiary establishments of the Kingdom, the Moroccan authorities have created relevant mechanisms, namely the Prison's Observatory and the Mohammed V Foundation for the Rehabilitation of Prisoners.

The shameful use of the situation of the detainees for political ends is an exercise of pure propaganda orchestrated by the Polisario and its supporters in order to falsely

inflare international public opinion by resorting to lies.

Indeed, it has been duly established, on this day, that the photographs being circulated showing the conditions of detention in the prison of Laayoune -- the staging of a macabre scenario -- demonstrate nothing more than the perpetrators' minimal respect for humanity.

Through this rude and false campaign, the Polisario is seeking to demonstrate that all the detainees in Laayoune are political prisoners. This is, undoubtedly, a vile maneuver as proven by the abovementioned classification of prisoners according to the crimes committed, who all belong to the category of common law.

The Kingdom of Morocco, as a responsible and peaceful State, has never circulated any propaganda - which is, beyond any doubt, a sordid tool of communication - and never intends to do so. On the contrary, Morocco remains committed to pursuing the bold reforms undertaken in various fields, namely reinforcing the rule of law, and expanding individual and collective liberties. (In the version provided to us on September 23, the sentence continues, "which bothers and destabilizes certain countries, in particular Algeria, due to the "domino effect" that such advances may trigger in neighboring countries).

13. (SBU) The following additional paragraphs were included in the document shared with the Embassy on September 23 but were not part of the draft shared with other embassies on September 26.

US-only text continued:

Likewise, the serenity demonstrated by Morocco in its management of the Sahara issue - namely by its continuously reiterated disposition to settle the issue in the framework of a consensual political solution - is countered by an Algerian intransigence that gains in intensity each time the direct responsibility of this country, concerning the continuation of this artificial conflict, is underlined.

Observers will easily discern that the clear and unambiguous position of certain great powers regarding the Sahara conflict, a position which confers a bilateral character to this issue (Morocco/Algeria) today utterly disconcerts the Algerian authorities, who desperately seek to block this evolution by orchestrating untrue campaigns. They create false problems in the hope of diverting the international community's attention.

With the release of the 404 Moroccan prisoners, which was recently made possible by international pressure and namely by the direct intervention of the United States alongside Algerian authorities, Algeria hoped to rid itself of the responsibility relating to the atrocities committed on its soil. It did not, however, take into account Morocco's determination to take all the necessary steps to make sure that these crimes of war do not go unpunished.

In this sense, former prisoners of Tindouf have filed a case before the International Criminal Court against those responsible for human rights violations committed in these camps, among them high-ranking Algerian officials.

Former Polisario members, as survivors of the Tindouf detention camps, are stepping up awareness-raising campaigns and testimonies denouncing atrocities carried out on Algerian territory.

This unanimously expressed determination further irritates and destabilizes the Algerian authorities, who attempt to create a diversion in order to mislead the international community and escape its obligations.

One must recall that Algeria has no respect for human rights as is daily shown by the international Press and NGO's, which never cease to denounce the brutal methods used by the Algerian security services and demand the truth about the missing thousands, be they Algerian or Moroccan.

Morocco cannot be lectured to by Algeria, let alone by the Polisario which is implicated in international terrorism, as is proven by its involvement in the theft of large quantities of dynamite from the Zouirate mines of Mauritania, in arms trafficking, in the attack on the Mauritania garrison of Lamgheiti, and in trafficking in illegal immigrants.

End document.

BUSH